



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

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**Report No. TEL-01670S**

**Friday May 9, 2014**

## **Streamlined International Applications Accepted For Filing**

### **Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Requests**

Unless otherwise specified, the following procedures apply to the applications listed below:

The international Section 214 applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications are for authority under Section 214 of the Communications Act, 47 U.S.C. § 214, (a) to transfer control of an authorized carrier or to assign a carrier's existing authorization; and/or (b) to become a facilities-based international common carrier; and/or (c) to become a resale-based international common carrier.

Pursuant to Section 63.12 of the rules, these Section 214 applications will be granted 14 days after the date of this public notice (see 47 C.F.R. § 1.4 regarding computation of time), and the applicant may commence operations on the 15th day, unless the Commission has informed the applicant in writing, within 14 days after the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing.

Communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. An application can be removed from streamlined processing only in the sound discretion of Commission staff. The filing of comments or a petition to deny will not necessarily result in an application being deemed ineligible for streamlined processing.

The petitions for declaratory ruling listed below are for authority under Section 310(b) of the Communications Act, 47 U.S.C. § 310(b), to exceed the foreign ownership limits applicable to common carrier radio licensees. The requested rulings will be granted 14 days after the date of this public notice, effective the next day, unless the application is formally opposed or the Commission has informed the applicant in writing, within 14 days of the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing. For this purpose, a formal opposition shall be sufficient only if it is received by the Commission and by the applicant within 14 days of the date of this public notice and its caption and text make it unmistakably clear that it is intended to be a formal opposition.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

We request that comments on any of these applications refer to the application file number shown below.

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**ITC-214-20140421-00130**

E

SHUF, INC.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20140422-00136** E Callafrica.com,LLC  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20140423-00131** E Teledigicom Corporation  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20140430-00142** E City Communications, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-ASG-20140421-00135** E Birch Communications, Inc.  
Assignment  
**Current Licensee:** dishNET Wireline L.L.C.  
**FROM:** dishNET Wireline L.L.C.  
**TO:** Birch Communications, Inc.  
Application for consent to the partial assignment of international section 214 authorization, ITC-214-20080219-00066, held by dishNET Wireline LLC (dishNET) to Birch Communications, Inc. (BCI). Pursuant to the terms of an Assets Purchase Agreement, dated April 18, 2014, BCI will purchase certain assets and customers of dishNET, including certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property, relating to dishNET's customers that currently receive services from dishNET under its "Liberty-Bell Telecom" trade name in Colorado, New Mexico, and Utah. The transaction does not include the residential customers that receive services from dishNET. dishNET will retain its international section 214 authorization, ITC-214-20080219-00066, and continue to provide service to its remaining customers pursuant to that authorization. Upon closing, Ionex Communications North, Inc. d/b/a Birch Communications, a wholly-owned subsidiary of BCI, will provide service to the newly acquired customers in Colorado, New Mexico, and Utah under authority of BCI's international section 214 authorization, ITC-214-19970926-00584, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.21(h).

Birch Communications Holdings, Inc. (Birch Holdings) owns 100% voting and equity interest in BCI. The following three individuals, all U.S. citizens, hold 5% or greater direct or indirect ownership interests in Birch Holdings: Holcombe Green (53% voting and equity interest); R. Kirby Godsey (Mr. Godsey) (21% voting and equity interest) (Mr. Godsey holds his equity and voting interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust); and Vincent Oddo (7% voting and equity interest).

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**ITC-T/C-20140422-00140** E Cbeyond Communications, LLC  
Transfer of Control  
**Current Licensee:** Cbeyond Communications, LLC  
**FROM:** Cbeyond Communications, LLC  
**TO:** Birch Communications, Inc.  
Application for consent to the transfer of control of international section 214 authorization, ITC-214-20001016-00619, held by Cbeyond Communications, LLC (Cbeyond), from its 100% parent, Cbeyond, Inc., to Birch Communications, Inc. (BCI). Pursuant to the terms of an Agreement and Plan of Merger, dated April 19, 2014, Hawks Merger Sub, an entity formed to effectuate the transaction, will merge with and into Cbeyond, Inc., with Cbeyond, Inc. emerging as the surviving entity. Upon closing, Cbeyond, Inc. and Cbeyond will become wholly-owned direct and indirect subsidiaries of BCI, respectively.

Birch Communications Holdings, Inc. (Birch Holdings) owns 100% voting and equity interest in BCI. The following three individuals, all U.S. citizens, hold 5% or greater direct or indirect ownership interests in Birch Holdings: Holcombe Green (53% voting and equity interest); R. Kirby Godsey (Mr. Godsey) (21% voting and equity interest) (Mr. Godsey holds his equity and voting interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust); and Vincent Oddo (7% voting and equity interest).

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#### **INFORMATIVE**

**ITC-214-20130726-00204** COMMKONEKT, LLC

This application has been removed from Streamlined processing pursuant to Section 63.12(c)(3) of the Commission's rules.

**ITC-214-20140128-00111** 0921585 B.C., Ltd. dba TelStar Systems

This application has been removed from Streamlined processing pursuant to Section 63.12(c)(3) of the Commission's rules.

**ITC-214-20140404-00114** Ring2 Communications LLC

This application has been removed from Streamlined processing pursuant to Section 63.12(c)(3) of the Commission's rules.

**ITC-214-20140408-00126** Thales USA Inc

This application has been removed from Streamlined processing pursuant to Section 63.12(c)(3) of the Commission's rules.

**INFORMATIVE**

**ITC-214-20140409-00112**

One Allied Fund Corporation

This application has been removed from Streamlined processing pursuant to Section 63.12(c)(3) of the Commission's rules.

**REMINDERS:**

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001-.2003.

A current version of Section 63.09-.24 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.